From: Marylee Carli [mailto:mcarli@sonic.net] Sent: Monday, January 07, 2008 9:36 AM

To: MLPAComments Subject: MLPA

My name is Marylee Carli and I have been a resident of Sonoma for most of my life. My late husband, Frank Carli, and I enjoyed many years of abalone diving all along the Sonoma County coast, and now one daughter, son-in-law, and two grand sons are also involved in the sport. I'm so pleased that the boys are involved in diving rather than gangs and drugs! I am also deeply aware of the importance of safe access and egress.

It took several years of negotiations between the Sea Ranch, the County of Sonoma and Coastal Commission to come to an agreement on the granting of six public access points on the Sea Ranch.

These access points are probably the safest on the coast. By closing half of these one of two things will result: heavier use of the remaining three, and forcing divers and fishermen to access the ocean by climbing down steep cliffs. Believe me, it is no picnic carrying gear, fishing or diving, down the cliffs and then back up with the additional weight of game!

As for making the area of the Richardson ranch an open area, without ground access, certainly would be handy for the poachers! They could come in by boat, rape the abalone beds, go out to sea, meet another boat and transfer the abalone. Since the beach is private property there would not be anyone on the beach to "tip" the DFG.

After saying all of this, I would like to challenge the legality of any closure. I researched the California Constitution and this is what I found:

CALIFORNIA CONSTITUTION

ARTICLE 1 DECLARATION OF RIGHTS

Section 25. The people shall have the right to fish upon and from the public lands of the State and in the waters thereof, excepting upon lands set aside for fish hatcheries, and no land owned by the State shall ever be sold or transferred without reserving in the people the absolute right to fish thereupon; and no law shall ever be passed making it a crime for the people to enter upon the public lands within this State for the purpose of fishing in any water containing fish that have been planted therein by the State; provided, that the legislature may by statute, provide for the season when and the conditions under which the different species of fish may be taken.

Warm Springs Hatchery in Sonoma County produce Salmon, an ocean going fish, so I question the legal rights to close any access to the ocean. I have spoken to two attorneys about this and they feel that my assessment is correct.